

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:12-CR-054-2
	:	
	:	JUDGE MICHAEL R. BARRETT
v.	:	
	:	<b><u>GOVERNMENT'S RESPONSE TO</u></b>
	:	<b><u>DEFENDANT'S MOTION FOR</u></b>
CHRISTOPHER STEGAWSKI	:	<b><u>DISCOVERY</u></b>
	:	

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The Government by and through counsel hereby responds to the defendant's motion for discovery and submits that discovery has been complied with within the purview of Rule 16(a)(1)(A)(B)(C) and (D) of the Federal Rules of Criminal Procedure. To the extent that defendant should file a request that exceeds the parameters of the Rule, it is opposed. Additional materials will be provided as they become available.

Respectfully submitted,

CARTER M. STEWART  
United States Attorney

s/Timothy D. Oakley  
TIMOTHY D. OAKLEY (0039965)  
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## **MEMORANDUM**

The United States will provide what information it has in its' possession under the following areas as described in the separate headings. The Governments position regarding each category follows:

1. Defendant's statements: The defendant made a statement to law enforcement that has been provided to counsel.

2. Defendant's prior record: The defendant's prior record has been turned over to counsel.

3. Request for documents: The Government has made available all of the discoverable investigative reports, recordings, and photographs available at the time of this response. The United States reserves the right to supplement any additional information and discovery when and if it is received by the United States. The United States would submit that it intends to use any material disclosed to include but not limited to: any photographs taken during the investigation, any audio recordings of the defendants made during undercover operations along with transcripts, any record of payment, patient logs, patient file, patient log and receipt book, and any other document produced in the discovery as well as expert and lay opinions. This is to include any report from the Ohio Board of Pharmacy, Internal Revenue Service and other law enforcement agencies.

4. Reports of tests: The United States gives notice that it intends to call expert testimony to discuss the lack of a legitimate medical necessity of the prescriptions and that the defendant's actions were outside the scope of legitimate medical practice.

5. Grand Jury transcripts. The Government will provide copies of Grand Jury and preliminary transcripts of witnesses in its possession at trial in accordance with the Jencks Act.

18 U.S.C. § 3500. The Government will provide Jencks Act material at the appropriate time.

United States v. Algie, 667 F.2d 569 (6<sup>th</sup> Cir. 1982).

6. Exculpatory material: The Government is mindful of its obligation to provide favorable evidence to the defendant and will provide any such material prior to the witness testifying.

The United States makes a demand for all discoverable material pursuant to Federal Criminal Rule 16(b)(1).

Respectfully submitted,

CARTER M. STEWART  
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed with the Court's CM/ECF System this 10<sup>th</sup> day of September, 2014, which provides electronic notice to all parties.

*s/Timothy D. Oakley*  
TIMOTHY D. OAKLEY  
Assistant United States Attorney